

Message Text

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ORIGIN PM-04

INFO OCT-01 EA-07 ISO-00 CIAE-00 H-02 INR-07 L-03 NSAE-00

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EA/ANP - MR. MICHAUD

OASD(ISA) O CDR. GRUNAWALT

OPNAV(616) - CAPT HURT

----- 094246

R 010104Z NOV 75

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

INFO AMEMBASSY WELLINGTON

SECDEF

CNO

CINCPAC HONOLULU HI

CINCPACFLT

C O N F I D E N T I A L STATE 259139

CINCPAC ALSO FOR POLAD

E.O. 11652:GDS

TAGS:MARR, MNUC, AS

SUBJECT:NUCLEAR POWERED WARSHIP VISITS (NPW) TO AUSTRALIA

REFERENCE: STATE 228946 (251902ZSEP75)

1. SUMMARY. WE HAVE RECEIVED A COPY OF LETTER DATED OCTOBER 23, FROM EMBASSY OF AUSTRALIA (OFFICE OF AUSTRALIAN DEFENSE STAFF) TO ASSISTANT SECDEF (INTERNATIONAL SECURITY AFFAIRS) CONCERNING NPW VISITS. LETTER DISCUSSES UNCLASSIFIED ENVIRONMENTAL IMPACT STUDY IN CONFIDENTIAL

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PROGRESS AND REQUESTS DOD ADVICE ON SEVERAL NPW RELATED

MATTERS FOR ASSISTANCE IN POSSIBLE PUBLIC PRESENTATION OF
ISSUE. MAIN BODY OF LETTER IS FORWARDED FOR YOUR INFOR-
MATION. END SUMMARY.

2. BEGIN TEXT: IT WILL BE RECALLED THAT MINISTER FOR
DEFENCE MORRISON INFORMED DEPUTY SECRETARY CLEMENTS IN THE
COURSE OF THEIR MEETING IN WASHINGTON ON 4TH AUGUST 1975
THAT THE QUESTION OF ADMISSION OF NUCLEAR POWERED WARSHIPS
INTO AUSTRALIAN PORTS WAS UNDER CLOSE STUDY, INCLUDING
CONSIDERATION OF ENVIRONMENTAL ASPECTS.

PARA TWO: FOLLOWING CONSIDERATION BY THE MINISTER AND
DEPARTMENT FOR ENVIRONMENT OF A CLASSIFIED ENVIRONMENTAL

IMPACT STUDY (EIS) THAT HAD BEEN PREPARED BY DEFENCE IN
COLLABORATION WITH THE AUSTRALIAN ATOMIC ENERGY COMMISSION,
IT HAS BEEN DECIDED AT MINISTERIAL LEVEL THAN AN
UNCLASSIFIED EIS SHOULD BE PREPARED. THE AUSTRALIAN
DEPARTMENT OF DEFENCE IS NOW ENGAGED IN THE PREPARATION
OF SUCH A DOCUMENT. THIS MAY BE MADE PUBLIC AND COULD
WELL FORM THE BASIS OF A PUBLIC HEARING OF THE PROPOSAL
BEFORE A COMMISSIONER APPOINTED FOR THE PURPOSE. IT IS
POSSIBLE, IN ANY SUCH PUBLIC HEARING, THAT US AND BRITISH
PRACTICES CONCERNING THEIR NUCLEAR POWERED VESSELS COULD
BE SUBJECT TO QUESTIONING AND CRITICISM, AND THAT THE
AUSTRALIAN AUTHORITIES COULD BE CRITICISED FOR BEING
READY TO ACCEPT WITHOUT VERIFICATION US AND BRITISH
ASSURANCES CONCERNING THE NATURE OF THEIR REACTORS AND
THEIR ASSOCIATED SAFETY ARRANGEMENTS.

PARA THREE: IN THESE CIRCUMSTANCES I HAVE BEEN ASKED
TO INFORM APPROPRIATE US DEFENSE OFFICIALS THAT AN
UNCLASSIFIED EIS IS TO BE ISSUED AND THAT PUBLIC DIS-
CUSSION OF THE ISSUES INVOLVED IS LIKELY.

PARA FOUR: IN ADDITION, THE DEPARTMENT OF DEFENCE,
CANBERRA WOULD APPRECIATE ADVICE ON THE FOLLOWING MATTERS
TO ASSIST IN ANY PUBLIC PRESENTATION ON THIS SUBJECT.

(I) RESTRICTED BERTHS
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PARA FIVE: IN THE CLASSIFIED STATEMENT THREE CATEGORIES
OF BERTH HAVE BEEN PROPOSED. CATEGORIES A AND B ARE
BERTHS CLOSE TO MAJOR POPULATION CONCENTRATION, AND TO USE
THEM, VESSELS WOULD HAVE TO OBSERVE RESTRICTED REACTOR
CONDITIONS AS FOLLOWS:

CATEGORY A REACTORS TO BE FULLY SHUT DOWN AND DEPRESSURIZED

IMMEDIATELY AFTER BERTHING, AND TO REMAIN IN THAT STATE UNTIL IMMEDIATELY PRIOR TO DEPARTURE.

CATEGORY B THE IODINE-131 INVENTORY OF EACH REACTOR TO BE NOT MORE THAN 250,000 CURIES AT THE TIME OF ENTERING THE HARBOUR. SHIPS OBSERVING CATEGORY A CONDITIONS COULD USE CATEGORY B BERTHS IF THEY WISHED.

CATEGORY C IS FOR BERTS AND ANCHORAGES SUFFICIENTLY REMOTE TO REQUIRE NO SPECIAL REACTOR STATE.

IN THE CASE OF SYDNEY, ONLY CATEGORY A AND B BERTHS WOULD BE AVAILABLE, BUT IN OTHER PORTS, SUITABLE CATEGORY C ANCHORAGES HAVE BEEN IDENTIFIED. A VERY LIMITED NUMBER OF

CATEGORY C ALONGSIDE BERTHS HAVE BEEN IDENTIFIED.

PARA SIX: THE PRELIMINARY REACTION OF THE DEPARTMENT OF ENVIRONMENT IS THAT ONLY CATEGORY C BERTHS ARE LIKELY TO BE APPROVED FOR VISITS. THE DEPARTMENT OF DEFENCE FEELS THAT UNTIL CONFIDENCE IN THE RELIABILITY OF THE CONTROL MEASURES IS BUILT UP THROUGH A SUCCESSION OF VISITS WITHOUT INCIDENT, IT WOULD BE PRUDENT TO CONFINE VISITS TO CATEGORY C BERTHS BUT THEY WOULD LIKE TO RETAIN THE CONCEPT OF THE MORE RESTRICTIVE CATEGORIES IN CASE THERE IS EVER A NEED TO USE THESE BERTHS.

PARA SEVEN: THEY WOULD LIKE TO KNOW, HOWEVER, THE UNITED STATES ATTITUDE TO THE USE OF THESE RESTRICTED BERTHS. IT HAS BEEN SUGGESTED IN CANBERRA THAT THE UNITED STATES MIGHT BE PREPARED TO USE THEM ONLY PROVIDED THAT THE PRECISE REACTOR CONDITIONS THAT THEY ARE REQUIRED TO OBSERVE WHILE IN PORT ARE NOT MADE PUBLIC. CANBERRA WOULD

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LIKE TO KNOW IF THIS IS SO, AS IT COULD AFFECT THE PUBLIC PRESENTATION.

(II) STANDARD STATEMENT

PARA EIGHT: VISITS BY UNITED STATES NUCLEAR POWERED VESSELS TO FOREIGN PORTS ARE CARRIED OUT IN ACCORDANCE WITH CONDITIONS SET OUT IN A "STANDARD STATEMENT" RELATING TO THE PRECAUTIONS ETC THAT WILL BE OBSERVED, (COPY ATTACHED FOR REFERENCE). IS THERE ANY UNITED STATES OBJECTION TO THIS STANDARD STATEMENT BEING REPRODUCED IN A PUBLIC DOCUMENT? ARE ANY AMENDMENTS TO THE STATEMENT APPROPRIATE?

(III) LIABILITY AND INDEMNITY

PARA NINE: THE UNITED STATES POSITION ON LIABILITY AND INDEMNITY IS EMBODIED IN PUBLIC LAW 93-513, SIGNED INTO LAW IN DECEMBER 1974. A RESPONSE FROM THE UNITED STATES STATE DEPARTMENT TO AUSTRALIAN QUESTIONS OF 9TH OCTOBER 1974, SET OUT THE PRINCIPLES AND PROCEDURES THAT WOULD APPLY IN THE EVENT OF A NUCLEAR REACTOR INCIDENT. THIS RESPONSE WAS NOT CLASSIFIED, AND DOD, CANBERRA, WOULD LIKE TO INCORPORATE IT INTO THE UNCLASSIFIED EIS. IS THERE ANY OBJECTION TO DOING THIS? A COPY OF THE STATEMENT IS ATTACHED FOR EASY REFERENCE. IF THIS STATEMENT IS USED, THE FIRST PARAGRAPH ON PAGE 2, WHICH REFERS TO PREVIOUS CLASSIFIED EXCHANGES, WOULD, OF COURSE, BE DELETED. CANBERRA WOULD WANT TO LINK THIS STATEMENT TO PARAGRAPH 3 OF THE STANDARD STATEMENT, TO INDICATE THE

"GENERALLY ACCEPTED PRINCIPLES OF LAW AND EQUITY" THAT ARE INVOLVED.

PARA TEN: IN ADDITION, DOD, CANBERRA, HAS REFERRED TO A PROPOSED EXCHANGE OF NOTES SETTING OUT THE PROVISIONS THAT WOULD APPLY TO THE SETTLEMENT OF CLAIMS. A DRAFT WAS PASSED BY THE AUSTRALIAN DEPARTMENT OF FOREIGN AFFAIRS TO THE UNITED STATES EMBASSY IN CANBERRA ON 21ST APRIL, 1975, AND HAS BEEN DISCUSSED BY THIS EMBASSY IN WASHINGTON WITH THE STATE DEPARTMENT. A COPY OF THE DRAFT NOTE IS CONFIDENTIAL

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ATTACHED FOR EASE OF REFERENCE. DOD, CANBERRA, SEE THE CONCLUSION OF AN EXCHANGE OF NOTES IN THESE TERMS AS A PRECONDITION OF THE RESUMPTION OF VISITS, AND WOULD LIKE TO INCLUDE THE TEXT IN THE EIS. THEY THEREFORE SEEK TO EXPEDITE CONCLUSION OF AN AGREED TEXT IF POSSIBLE, AND WOULD APPRECIATE UNITED STATES' VIEWS ON THIS MATTER.

PARA ELEVEN: I WOULD BE GLAD TO RECEIVE THE COMMENTS OF THE UNITED STATES DEFENSE AUTHORITIES ON THE FOREGOING FOR COMMUNICATION TO CANBERRA. THE EMBASSY HAS ALSO TAKEN THEM UP WITH THE STATE DEPARTMENT. END TEXT

(S. LANDAU)
HEAD AUSTRALIAN DEFENCE STAFF

3. TO ASSIST IN PREPARATION OF RESPONSE TO ABOVE LETTER REQUEST EMBASSY ADVISE STATUS OF ACTION REQUESTED IN REFTEL. KISSINGER

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Message Attributes

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Draft Date: 01 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
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Disposition Approved on Date:
Disposition Authority: CunninFX
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To: CANBERRA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006